

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA**

**SARAH MAE LYNN ENGLER,**

**Plaintiff,**

**v.**

**COMMISSIONER OF THE SOCIAL  
SECURITY ADMINISTRATION,**

**Defendant.**

**Case No. 20-CV-367-JFH-SPS**

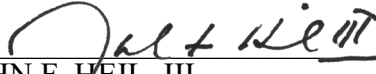
**ORDER**

Before the Court is the Report and Recommendation [Dkt. No. 22] of United States Magistrate Steven P. Shreder reviewing the Application for Award of Attorney Fees Pursuant to the Equal Access to Justice Act § 2412, filed by Plaintiff Sarah Mae Lynn Engles [Dkt. No. 20] (“Motion”). The Magistrate Judge recommends the Plaintiff’s Motion be granted.

The Commissioner of the Social Security Administration did not object to the Magistrate Judge’s Report and Recommendation within the 14-day period prescribed by 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b). Having reviewed the Report and Recommendation, the Court concurs with the Magistrate Judge’s recommendation, and accepts and adopts it as the order of the Court.

IT IS THEREFORE ORDERED that Plaintiff’s Application for Award of Attorney Fees Pursuant to the Equal Access to Justice Act § 2412 [Dkt. No. 20] is GRANTED. Plaintiff is awarded EAJA fees in the amount of \$6,037.60 payable to Plaintiff in care of her counsel. If Plaintiff’s counsel also ultimately receives an award of attorney fees under 42 U.S.C. § 406(b), counsel shall refund the smaller award to Plaintiff pursuant to *Weakley v. Bowen*, 803 F.2d 575, 580 (10th Cir. 1986).

Dated this 22<sup>nd</sup> day of August 2022.

  
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JOHN F. HEIL, III  
UNITED STATES DISTRICT JUDGE